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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

LUIS DANIEL TREJO DE LA MORA,

Case No. 2:18cv-02228

Plaintiff,

v.

KW TRANSPORTATION, LLC,

DEFENDANT'S NOTICE OF REMOVAL
OF ACTION UNDER 28 U.S.C. §1441(B)
(DIVERSITY)

Defendant.

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendant KW Transportation, LLC hereby removes to
this Court the state court action described below.

1. On or about Nov. 28, 2018, plaintiff commenced an action by filing a complaint in the Circuit Court for the State of Oregon in and for the County of Umatilla as Case Number 18CV54389. A copy of plaintiff's initial complaint, which was not served upon defendant, is attached as Exhibit "A."

2. On about Nov. 30, 2018, plaintiff filed a First Amended Complaint in the state court action, a copy of which is attached as Exhibit "B."

3. Defendant KW Transportation, LLC first received notice of the action on Nov. 30, 2018 when its registered agent was served with a copy of plaintiff's First Amended Complaint and a summons from said court. A copy of the summons is attached as Exhibit "C."

4. This Notice of Removal is filed within thirty (30) days after service of the summons and the First Amended Complaint upon defendant and is therefore timely.

5. This is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332 and is one that may be removed to this Court pursuant to the provisions of 28 U.S.C. §1441 because it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000.00, exclusive of costs and interest.

6. Plaintiff is a citizen of the State of Washington. Defendant KW Transportation, LLC is a limited liability company organized under the laws of the State of Nevada whose principal place of business is in that state. The sole member of defendant is an individual who is a citizen of the State of Nevada.

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7. This notice is being served upon counsel of record and a copy of this notice is being filed with the Clerk of the Umatilla County Circuit Court of the State of Oregon pursuant to 28 U.S.C. § 1446(a).

DATED: December 27, 2018.

NW TRANSPORTATION LAWYERS, PC

By: s/Patrick D. Gilroy
Patrick D. Gilroy, OSB No. 832106
Email: pgilroy@nwtlpc.com
Of Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing DEFENDANT'S NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. §1441(B) (DIVERSITY) on the following individual(s)

Damian Idiart
The Idiart Law Group LLC
1005 N. Riverside, Suite 100
Medford, OR 97501
Attorneys for Plaintiff

on December 28, 2018 by mailing to said individual(s) a copy thereof, contained in a sealed envelope, with postage prepaid, addressed to said individual(s) at the address above stated, and deposited in the United States Post Office in Lake Oswego, Oregon on said date.

s/Patrick D. Gilroy
Patrick D. Gilroy, OSB No. 832106
Of Attorneys for Defendants

CERTIFICATE OF SERVICE